REMARKS

In view of the above amendments and the following remarks, further examination and reconsideration of the rejections in the Office Action of July 20, 2009 are respectfully requested.

In item 4 of the Office Action, claims 26-28, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz (U.S. 2004/0078817) in view of Davis (U.S. 2003/002882); in item 5, claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis, and further in view of Ishizaki (U.S. 6,108,002); in item 6, claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis, and further in view of Knudson (U.S. 2005/0204388); in item 7, claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis, and further in view of Akamatsu (U.S. 2002/0044764). Claim 26 has been amended to further distinguish the present invention. Thus, these rejections are inapplicable to claims 26-34 for the following reasons, and withdrawal of the rejections is respectfully requested.

Claim 26 recites that an erasure control section erases an unreserved program portion preceding the reservation program in the recording medium based on the program list acquired at a time immediately before the program-recording completion time and the program identification information (included in a program list acquired from an information-providing server) included in the reservation information stored in the reservation-information memory. Such an erasure control section is not disclosed by the prior art.

Horowitz does not disclose such an erasure control section as recited in claim 26, as was acknowledged in the Office Action on page 5. Davis was relied on as disclosing the erasure control section in the Office Action. However, Davis does not disclose an erasure control section as now recited in claim 26.

Davis discloses updating displayed electronic program guide (EPG) information based on watermark data embedded in the program content (*Davis* abstract). The watermark information is checked against the EPG, and if there is a discrepancy it is noted on the displayed EPG (*Davis* paragraph 0011). If the watermark data indicates that an unreserved program has been recorded, the unwanted program material may be deleted (*Davis* paragraphs 0015-0020). However, Davis only discloses using watermark data embedded in the program content to determine a discrepancy between the program content and the EPG, and to determine the unreserved program

portion to be erased. Thus, Davis does not disclose comparing the watermark data to an EPG acquired at a time immediately before the program-recording completion time, and only discloses making the determination to erase an unreserved program portion based on data in the program content itself, i.e., the watermark. This stands in contrast to claim 26, which recites that the unreserved program portion is erased based on the program list acquired at a time immediately before the program-recording completion time and the program identification information acquired from an information-providing server. For example, if a program content has no embedded watermark, e.g., an emergency broadcast, Davis does not disclose any way to distinguish the unreserved program portion from the reserved program.

The deficiencies discussed above with respect to Horowitz and Davis are not obviated by Ishizaki, Knudson, Akamatsu, or Hatano, nor were these references relied on for this in the Action. Thus, the present invention as recited in claim 26 is not anticipated or rendered obvious by Horowitz, Davis, Ishizaki, Knudson, Akamatsu, or Hatano, or any reasonable combination thereof. It is submitted that claim 26 is allowable over the prior art of record, as are claims 27-34 depending therefrom.

In item 8 of the Office Action, claims 35-37, 40, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis, and further in view of Hatano (U.S. 6,951,031); in item 9, claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis and Hatano, and further in view of Ishizaki; in item 10, claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis and Hatano, and further in view of Knudson; in item 11, claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horowitz in view of Davis and Hatano, and further in view of Akamatsu. Claim 35 has been amended to further distinguish the present invention. Thus, these rejections are inapplicable to claims 35-43 for the following reasons, and withdrawal of the rejections is respectfully requested.

First, claim 35 recites an erasure control section configured to determine, based on the program list acquired at the time after the program-recording completion time, if an unreserved program portion is stored within the recording of the reserved program in the recording medium, and configured to extract and erase the unreserved program portion in the recording medium based on the program list and the address table. As discussed above with regard to claim 26, this limitation is not disclosed by or rendered obvious by the prior art of record.

Second, claim 35 recites dividing the reserved program stored in the recording medium, based on comparison between the program identification information included in the reservation information stored in the reservation-information memory and the program identification information of the program list acquired at the time after the program-recording completion time, within a program-recording time in accordance with the program identification information described in the program list in a chronological order. This is not disclosed by the prior art of record.

Horowitz and Davis do not disclose this limitation, nor were they relied on for such in the Action. Hatano is indicated on page 17 of the Action as disclosing this division. However, Hatano does not disclose a division as recited in claim 35.

Hatano discloses an apparatus for recording program information which obtains program information from a program guide and updates the program information while the program is recorded (*Hatano* abstract). However, Hatano only updates the program information before or while the program is recorded (*Hatano* col. 2, lines 13-18; col. 3, lines 22-29). A record contents list screen is then displayed according to the program information (*Hatano* col. 13, lines 15-35). There is no disclosure in Hatano that the division is based on comparison between the program identification information included in the reservation information stored in the reservation-information memory and the program identification information of the program list acquired at the time *after the program-recording completion time,* as recited in claim 35.

The deficiencies discussed above with respect to Hatano are not obviated by Ishizaki, Knudson, or Akamatsu, nor were these references relied on for this in the Action. Thus, the present invention as recited in claim 35 is not anticipated or rendered obvious by Horowitz, Davis, Ishizaki, Knudson, Akamatsu, or Hatano, or any reasonable combination thereof. It is submitted that claim 35 is allowable over the prior art of record, as are claims 36-43 depending therefrom.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this amendment, the Examiner feels that there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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